



Atty. Dkt. No. 040356-0384

Dec 14 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hidetoshi ITO et al.  
Title: EXHAUST EMISSION CONTROL DEVICE  
Appl. No.: 09/941,733  
Appl. Filing Date: 08/30/2001  
Examiner: Hien Thi Tran  
Art Unit: 1764

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

**1. Submission required under 37 C.F.R. §1.114: (check items that apply)**

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on \_\_\_\_.

Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

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790.00 OP

Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

Other \_\_\_\_.

b. Enclosed are:

Amendment/Reply.

Affidavit(s)/Declaration(s).

Information Disclosure Statement.

Form PTO/SB/08 with copy of 1 listed reference(s).

Other .

Miscellaneous:

Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

|  | Claims as Amended | Previously Paid For | Extra Claims Present | Rate              | Fee Totals |
|--|-------------------|---------------------|----------------------|-------------------|------------|
| RCE Fee 1.17(e):                                     |                   |                     |                      | \$790.00          | = \$790.00 |
| Total Claims:  | 15                | -                   | 15 = 0               | x \$50.00         | = \$0.00   |
| Independents   | 1                 | -                   | 1 = 0                | x \$200.00        | = \$0.00   |
| First presentation of any Multiple Dependent Claims: |                   |                     | + \$360.00           | =                 | \$0.00     |
|  |                   |                     |                      | CLAIMS FEE TOTAL: | = \$790.00 |

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|                          |   |            |   |          |
|--------------------------|---|------------|---|----------|
| <input type="checkbox"/> | Extension for response filed within the first month:      | \$120.00   | 0 | \$0.00   |
| <input type="checkbox"/> | Extension for response filed within the second month:     | \$450.00   |   | \$0.00   |
| <input type="checkbox"/> | Extension for response filed within the third month:      | \$1,020.00 |   | \$0.00   |
| <input type="checkbox"/> | Extension for response filed within the fourth month:     | \$1,590.00 |   | \$0.00   |
| <input type="checkbox"/> | Extension for response filed within the fifth month:      | \$2,160.00 |   | \$0.00   |
|                          | EXTENSION FEE SUBTOTAL:                                   |            |   | \$0.00   |
|                          | EXTENSION FEE ALREADY PAID:                               |            |   | \$0.00   |
|                          | EXTENSION FEE TOTAL                                       |            |   | \$0.00   |
|                          | CLAIMS AND EXTENSION FEE TOTAL:                           |            |   | \$790.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above):            |            |   | \$0.00   |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) |            |   | \$0.00   |
|                          | TOTAL FEE:  |            |   | \$790.00 |

Please charge Deposit Account No. 19-0741 in the amount of \_\_\_\_\_. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$790.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date JAN 04 2005

By Richard L. Schwaab

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